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Before the  
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In the Matter of )  
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Determination of Reasonable Rates and )  
Terms for Noncommercial Broadcasting )  
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Docket No. 2006-2 CRB NCBRA

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FEB 3 2006

**PETITION TO PARTICIPATE**

GENERAL COUNSEL  
OF COPYRIGHT

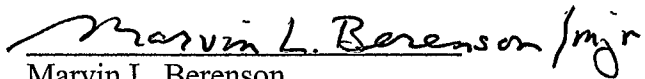
Broadcast Music, Inc. ("BMI") hereby files its Petition to Participate in the above-captioned proceeding in accordance with the Notice of the Copyright Royalty Board (the "CRB") of January 4, 2006, 71 Fed. Reg. 1453 (Jan. 9, 2006) (the "2006 Notice").

BMI is a music performing rights organization that licenses, on a non-exclusive basis, the public performing right in approximately 6.5 million non-dramatic musical works on behalf of its over 300,000 affiliated songwriters, composers and publishers, including thousands of foreign works through BMI's reciprocal licensing agreements with foreign performing right organizations. Public performances of musical works in BMI's repertoire fall within the noncommercial educational broadcasting compulsory license contained in Section 118 of the Copyright Act, 17 U.S.C. § 118, when they are made by those noncommercial broadcasting entities that qualify for the compulsory license. BMI has for decades licensed the Public Broadcasting System ("PBS") and National Public Radio ("NPR") under voluntary license agreements, as well as hundreds of non-commercial radio stations that are either: (1) qualified by the Corporation for Public Broadcasting ("CPB") to receive federal funding; (2) affiliated with colleges or universities; or (3) other non-commercial radio stations. Accordingly, BMI asserts

that it has a financial stake in the outcome of this proceeding and this constitutes a "significant interest" pursuant to 17 U.S.C. §803(b)(2)(C). BMI has succeeded in the past in reaching voluntary license agreements and/or rate agreements with the entities representing the noncommercial broadcasters. BMI also attests that it intends to participate fully in any royalty rate proceeding for the period 2008-2012 to establish BMI license fees and terms in any instance where voluntary agreements are not reached. BMI encloses a check in the amount of \$150.00 for the requisite filing fee pursuant to 37 CFR §351.1(b) (4).

Respectfully submitted,

**BROADCAST MUSIC, INC.**

By:   
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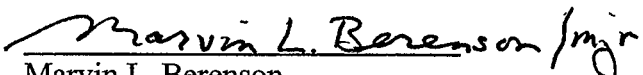
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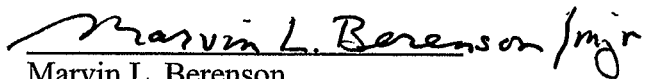
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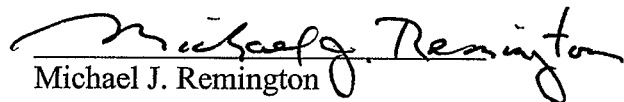
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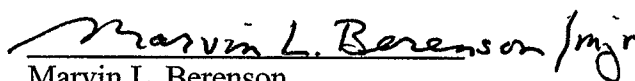
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